CITY OF MESA

MINUTES OF THE PLANNING AND ZONING BOARD MEETING

Held in the City of Mesa Council Chambers Date: <u>April 20, 2011</u> Time: <u>4:00 p.m.</u>

MEMBERS PRESENT

MEMBERS ABSENT

Randy Carter, Chair Beth Coons, Vice-Chair Chell Roberts Vince DiBella Lisa Hudson Suzanne Johnson

Brad Arnett (excused)

OTHERS PRESENT

John Wesley Gordon Sheffield Tom Ellsworth Lesley Davis Angelica Guevara Wahid Alam Debbie Archuleta

Chairperson Carter declared a quorum present and the meeting was called to order at 4:00 p.m. The meeting was recorded on tape and dated April 20, 2011. Before adjournment at 4:38 p.m., action was taken on the following:

It was moved by Boardmember Chell Roberts, seconded by Boardmember Vince DiBella that the minutes of the March 22, 2011, and March 23, 2011 study sessions and regular meeting be approved as submitted. Vote: 6 – 0 (Boardmember Arnett absent)

Consent Agenda Items: All items identified with an asterisk (*) were approved with one Board motion.

It was moved by Boardmember Suzanne Johnson, seconded by Boardmember Vince DiBella that the consent items be approved. Vote:

<u>Code Amendment:</u> Repeal of the present Title 11 of the Mesa City Code, known as the Mesa Zoning Ordinance, it its entirety, and replacement with a new Title 11, also to be known as the Mesa Zoning Ordinance. This project is also known as the Zoning Code Update.

Zoning Cases: Z11-15, Z11-08, Z11-13, Z11-14

Item: **Z11-15** The 7600 block of East Velocity Way (north side). Located east of Sossaman Road and north of Pecos Road (13.45± acres). District 6. Site Plan Review. This request will allow the development of an industrial office development at Phoenix-Mesa Gateway Airport. Phoenix-Mesa Gateway Authority, owner; Steve Nevala, applicant. **(District 6)**

Comments: This case was on the removed from the consent agenda.

Renee P. Jeffrow, 6355 South Sossaman spoke in support of the case. Mr. Jeffrow stated at the northern corner of their lot there is a jet sound attenuator that they use approximately 12 times a year. He wanted to state on the record that the attenuator is noisy.

It was moved by Boardmember Beth Coons, seconded by Boardmember Lisa Hudson

That: The Board approve zoning case Z11-15 conditioned upon:

- Compliance with the basic development as described in the project narrative, and as shown on the site plan submitted (without guarantee of lot yield, building count, lot coverage).
- 2. Compliance with all City development codes and regulations.
- 3. Compliance with all requirements of the Phoenix-Mesa Gateway Airport Design Review Committee.

Vote: Passed 6 - 0 (Boardmember Arnett absent)

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Note: Audiotapes of the Planning & Zoning Board Meetings are available in the Planning Division Office for review. They are also "live broadcasted" through the City of Mesa's website at www.mesaaz.gov

Item: **Z11-08** 5503 South Power Road. Located south of Ray Road on the east side of Power Road (4.34± acres). District 6. Rezone from C-2 to M-1 and Site Plan Review. This request will allow the development of an RV/Boat Storage Facility. (PLN2010-00148) James McDowell, owner: Tony Cooper, applicant. **(District 6)**

Comments: This case was on the consent agenda and therefore was not discussed individually

It was moved by Boardmember Suzanne Johnson, seconded by Boardmember Vince DiBella

That: The Board recommend to the City Council approval of zoning case Z11-08 conditioned upon:

- 1. Compliance with the site plan and project narrative submitted, except as modified by the conditions below;
- 2. Compliance with all requirements of Development Services Division with regard to the issuance of building permits;
- 3. Provide revised exhibits for staff approval prior to submitting for building permit to show accurate boundary for rezoning for only RV/boat facility.
- 4. Provide 5' wide temporary landscape yard and temporary curbing along the emergency access from Power Road.
- 5. The owner shall grant an Avigation Easement and Release to the City, pertaining to Phoenix-Mesa Gateway Airport, which will be prepared and recorded by the City.

Vote: Passed 6-0 (Boardmember Arnett absent)

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Item: **Z11-13** The 1600 block of South Stapley Drive (east side). Located south of the US 60 Superstition Freeway and east of Stapley Drive (72± acres). District 4. Council Use Permit. This request will allow the development of a 65' tall Freeway Landmark Monument sign at the Mesa Grand commercial retail center. (PLN2011-00049) Vestar Arizona, Owner; Paul Bleier, applicant. (**District 4**)

Comments: This case was on the consent agenda and therefore was not discussed individually

It was moved by Boardmember Suzanne Johnson, seconded by Boardmember Vince DiBella

That: The Board recommend to the City Council approval of zoning case Z11-13 conditioned upon:

- 1. Compliance with the basic development of the Freeway Landmark Monument as described in the project narrative and as shown on the site plan except as noted below.
- 2. Compliance with all requirements of the Design Review Board.
- 3. Maximum sign height of 65 feet.
- 4. Compliance with all City development codes and regulations.
- 5. Compliance with all requirements of the Development Services Division with regards to the issuance of building and sign permits.
- 6. Regarding the electronic message display:
 - a) The display is limited to text and picture messages only, with no animation or video.
 - b) The message change sequence is accomplished by an immediate on/off sequence, with each message being displayed for a minimum period of fifteen (15) seconds.
 - c) No continuous traveling or scrolling displays allowed.
 - d) The intensity of the LED display shall not exceed the levels specified in the Freeway Landmark Monument Guidelines.
- 7. Written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed the levels specified in the Freeway Landmark Monument Guidelines and the intensity level is protected from end-user manipulation by password-protected software or other method as deemed appropriate by the Development Services Director.

Vote: Passed 6-0 (Boardmember Arnett absent)

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Item:

Z11-14 The 4400 to 4800 block of east McKellips Road (north side); the 2000 to 2900 block of north Greenfield Road (east side); the 4400 to 5100 block of East McDowell Road (south side); and the 2200 to 2900 block of north Higley Road (west side). Located north of McKellips Road and east of Greenfield Road (578.45± acres). District 5. Rezone from M-1 to M-1-PAD. This request will establish Design Guidelines to guide future development at Falcon Field Airport. (PLN2010-00386) City of Mesa, owner; Corrine Nystrom, applicant. (**District 5**)

Comments: This case was on the consent agenda and therefore was not discussed individually

- 1. Compliance with the basic development as described in the Design Guidelines (without guarantee of lot yield, building count, or lot coverage).
- 2. The Planned Area Development (PAD) Overlay is to allow height limits above those allowed in the M-1 zoning district subject to approval by the Airport Director.
- 3. Design details for the entrance feature, repainting of the water tower, new way-finding signage, light fixtures, benches, gates, and walls shall be added to the Design Guidelines after approval by the Airport and the Planning Director.
- 4. Compliance with all City development codes and regulations.
- 5. Full compliance with all current Code requirements, unless modified with the PAD as outlined in the staff report and Design Guidelines.
- 6. Review and approval of a Special Use Permit by the Board of Adjustment for a comprehensive sign plan.

It was moved by Boardmember Suzanne Johnson, seconded by Boardmember Vince DiBella

That: The Board recommend to the City Council approval of zoning case Z11-14 conditioned upon:

Vote: Passed 6 - 0 (Boardmember Arnett absent)

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D. <u>DISCUSS AND MAKE RECOMMENDATION TO CITY COUNCIL ON THE FOLLOWING</u> CODE AMENDMENT:

Repeal of the present Title 11 of the Mesa City Code, known as the Mesa Zoning Ordinance, in its entirety, and replacement with a new Title 11, also to be known as the Mesa Zoning Ordinance. This project is also known as the Zoning Code Update.

Staffmember Gordon Sheffield explained that approximately 75% of the new Zoning Ordinance is similar to the old Ordinance. What staff has tried to do is make the new Ordinance easier to use and understand. He stated staff was also trying to reward people who do what the Code requires so they will not need to go through public hearings. He stated that 11-5-3 E-1 needs to say 3' not 5'.

Boardmember Johnson questioned the requirement for a Special Use Permit (SUP) for live entertainment. Mr. Sheffield explained there have been problems with people leaving doors open during live entertainment performances causing a noise issue for adjacent residential. He stated that the SUP would be required for locations within 500' of residential. Locations more than 500' from residential live entertainment would be allowed by-right. Boardmember Johnson thought the problem could be handled through the noise ordinance. She asked if there could be a decibel range so that poetry and acoustic guitars would not need the SUP. Boardmember Roberts asked if every performance would need a SUP. Mr. Sheffield stated that the SUP would run with the land. Boardmember DiBella thought this was an overreaction to a few problems.

Boardmember Coons was concerned with the 3 year time limit for existing approvals. Mr. Sheffield explained that the three years would be from the effective date of the Zoning Code update approval not the date of approval for a specific application or case.

Chair Carter was concerned with landscaping under SRP easements. He wanted a provision for mitigation of the tree requirements. He stated the trees always seem to get cut back and look unusual. Mr. Sheffield suggested that an 11th option could be added to the criteria for Alternative Landscape Plans.

Chair Carter then commended staff for the years of hard work on this project. He thought the new Zoning Code was a much better document.

It was moved by Boardmember Beth Coons, seconded by Boardmember Lisa Hudson

That: The Board recommend to the City Council approval of the new Title 11 as amended, with the removal of the section on live entertainment, and adding an 11th choice to the criteria for alternative landscape plans regarding overhead power lines.

Vote: Passed 6 - 0 (Boardmember Arnett absent)

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E. <u>DISCUSS AND TAKE ACTION ON THE FOLLOWING PRELIMINARY PLAT(S):</u>

Riverview Auto Center. (**District 1**) The 900 to 1,000 blocks of North Dobson Road, (west side). Located south and west of Dobson Road and the State Route 202 – red Mountain Freeway. (29.4± acres) This request will allow a commercial subdivision for an existing auto center. Miller Family Real Estate, LLC owner; Steve Bowser, Helix Engineering, LLC, applicant.

Comments: This case was on the consent agenda and therefore was not discussed individually

It was moved by Boardmember Suzanne Johnson, seconded by Boardmember Vince DiBella

That: The Board approve the Preliminary Plat of Riverview Auto Center, conditioned upon:

- 1. Compliance with all City development codes and regulations (Including Engineering, Transportation, Solid Waste and Facilities, etc.)
- 2. Compliance with all requirements of the Development and Sustainability Department.

Vote: Passed 6 - 0 (Boardmember Arnett absent)

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F. HEAR A PRESENTATION, DISCUSS AND PROVIDE DIRECTION ON THE FOLLOWING:

None

Respectfully submitted,

John Wesley, Secretary

John Wesley, Secretary Planning Director

DA:

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